

### **REMARKS**

This responds to the Office Action mailed on October 21, 2008.

Claims 1-2, 4, 8, 12, 14, 16, and 23 are amended; claims 7, 9, and 26 are cancelled, without prejudice to the Applicant; as a result, claims 1-6, 8, 10-25, and 27-28 are now pending in this application.

Example support for the amendments may be found throughout the original filed specification. By way of example only, the Examiner's attention is directed to the original filed specification page 3 lines 23-28; page 5 lines 23-30; page 8 line 27 through page 9 line 2; page 10 lines 3-21 and lines 28-30; page 12 lines 1-3 and lines 7-23; page 14 lines 24-30; page 15 lines 13-15 and lines 17-19; *etc.*

### **Information Disclosure Statement**

Applicant submitted a Supplemental Information Disclosure Statement and a 1449 Form on September 17, 2008. Applicant respectfully requests that an initialed copy of the 1449 Form be returned to Applicant's Representatives to indicate that the cited documents have been considered by the Examiner.

### **§112 Rejection of the Claims**

Claims 2-4 and 14 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. Applicant has corrected the perceived deficiencies in claims 2-4 and 14 as noted by the Examiner. As such these rejections are now moot points and should be withdrawn. Applicant respectfully requests an indication of the same.

### **§102 Rejection of the Claims**

Claims 1-4, 7, 8, 12, 14-16 and 20-26 were rejected under 35 U.S.C. § 102(e) as being anticipated by Ebata et al. (U.S. 6,513,061). It is of course fundamental that in order to sustain an anticipation rejection that each and every element in the rejected claims must be taught or suggested in the exact detail and identical arrangement within the cited reference.

Here, Ebata fails to teach or even remotely suggest secure communication using SSL in the manner now defined in the claims and permitting data associated with that communication to be cached within the environment of the client. As was mentioned in the specification, such caching of secure communications has heretofore been discouraged and not permitted. Applicant has provided a mechanism and communication interaction where such an arrangement is permissible and achieved using SSL.

Thus, the rejections with respect to Ebata should be withdrawn and the claims of record allowed. Applicant respectfully requests an indication of the same.

*§103 Rejection of the Claims*

Claims 5, 6, 8-15, 17-19, 27 and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ebata et al. in view of Barton et al. (U.S. 7,093,121). Obviousness requires that each and every element of the rejected claims be taught or suggested in the proposed combination of references.

Here, the proposed combination fails to teach or suggest any notion of a service that is capable of securely caching data for SSL communications within a local environment of a client, where that service acts as both a transparent proxy on behalf of the client and a reverse proxy on behalf of a remote service.

Thus, the rejections of record should be withdrawn and the claims allowed. Applicant respectfully requests an indication of the same.

**Reservation of Rights**

In the interest of clarity and brevity, Applicant may not have equally addressed every assertion made in the Office Action, however, this does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record is relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

**CONCLUSION**

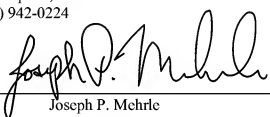
Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (513) 942-0224 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(513) 942-0224

Date 1-21-09

By /  /  
Joseph P. Mehrle  
Reg. No. 45,535